

IN RE: ROSIE R TOLLIVER) Chapter 13
)
 - Creditor) No. 09B37051
 Fifth Third Mortgage Company)
)
 v.) Judge
) Jack B. Schmetterer
 ROSIE R TOLLIVER - Debtor)
)

NOTICE OF MODIFICATION OF THE AUTOMATIC STAY
DUE TO THE DEBTOR'S FAILURE TO COMPLY WITH COURT ORDER

PLEASE TAKE NOTICE that the Automatic Stay has been Modified. Relief is granted as requested and Fifth Third Mortgage Company is free to foreclose and pursue its rights as to the property commonly known as 20745 Alexander Street, Olympia Fields, IL 60461 pursuant to the terms of the Order entered January 27, 2010 (attached hereto), debtor having failed to comply with the provisions therein.

SPECIAL NOTICE TO THE TRUSTEE:

The Stay has been Modified, the Claim of this creditor is hereby withdrawn. No further payments should be made pursuant thereto.

NOTICE OF FILING

This Notice and the documents referred to therein were sent for filing with the Clerk of the United States Bankruptcy Court.

CERTIFICATION

I, the undersigned, hereby certify that the documents attached hereto are true and correct copies of the original and that the date set forth in the Notice above is true and correct, and further certify that this notice was served to the Addresses attached by electronic notice through ECF or depositing the same at the U.S. Mail at 1 North Dearborn, Chicago, IL 60602, on or before 5:00 p.m. on June 7, 2010.

PIERCE & ASSOCIATES, P.C.

**THESE DOCUMENTS ARE AN
 ATTEMPT TO COLLECT A DEBT
 AND ANY INFORMATION OBTAINED
 WILL BE USED FOR THAT PURPOSE**

/s/Yanick Polycarpe
 ARDC # 6237892

1 North Dearborn
 Suite 1300
 Chicago, Illinois 60602
 312-346-9088

To Trustee:
Tom Vaughn
200 South Michigan Avenue
Suite 1300
Chicago, Illinois 60604
by Electronic Notice through ECF

To Debtor:
ROSIE R TOLLIVER
20745 Alexander Street
Olympia Fields, IL 60461

by U.S. Mail

To Attorney:
David M. Siegel and Associates
790 Chaddick Drive
Wheeling, Illinois 60090

by Electronic Notice through ECF

PIERCE & ASSOCIATES, P.C.
Attorneys For: Creditor
1 North Dearborn
Suite 1300
Chicago, Illinois 60602
(312) 346-9088

PA09-7993

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

RE: ROSIE R TOLLIVER) CASE NO. 09B37051
) Judge JACK B. SCHMETTERER

AGREED REPAYMENT AND DEFAULT ORDER

THIS CAUSE COMING TO BE HEARD on the Motion of Fifth Third Mortgage Company, the mortgagee on the property located at 20745 Alexander Street, Olympia Fields, IL, the Court having jurisdiction and being duly advised in the premises, and due notice having been given to the parties entitled thereto;

IT IS HEREBY ORDERED:

1. The Debtor acknowledges a default to Fifth Third Mortgage Company of \$7,190.32 through January 2010, after crediting the tender of payments made through January 13, 2010. The aforementioned default is calculated as follows:

11/09 THROUGH 1/10	= 3 @ \$3,083.62	\$9,250.86
LATE CHARGES	= 2 @ \$69.73	\$139.46
BANKRUPTCY FEES AND COSTS		\$800.00
LESS FUNDS PREVIOUSLY TENDERED		(\$3,000.00)
LEAVES A TOTAL DEFAULT		\$7,190.32

The Debtor shall tender the following payments on or before the following dates:

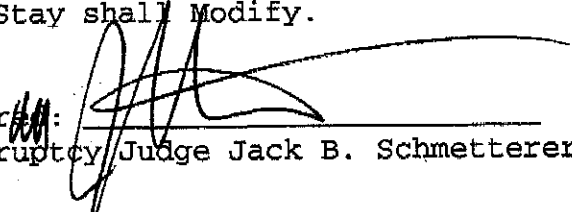
On or before 2/28/10	One post-petition mortgage payment + \$1,198.40
On or before 3/30/10	One post-petition mortgage payment + \$1,198.40
On or before 4/30/10	One post-petition mortgage payment + \$1,198.40
On or before 5/30/10	One post-petition mortgage payment + \$1,198.40
On or before 6/30/10	One post-petition mortgage payment + \$1,198.40
On or before 7/30/10	One post-petition mortgage payment + \$1,198.40

The current post petition mortgage payment at the present time is \$3,083.62, and may change due to changes in ARM or Escrow if applicable.

2. In the event the Debtor defaults in making the payments under paragraph 1, then the Debtor has no right to cure and the Stay shall automatically Modify to Fifth Third Mortgage Company without further Court Order.
3. The aforesaid payments shall be made payable to Fifth Third Mortgage Company and received in the office of Fifth Third Mortgage Company's attorneys, PIERCE AND ASSOCIATES, P.C., in the form of money orders, certified checks, or cashier's checks.

4. Commencing with the August 2010 post-petition mortgage payment and continuing thereafter, if the Debtor fails to make said payment on the date on which it is due, thereby accruing a two month post-petition mortgage payment default, then the Stay shall automatically Modify to Fifth Third Mortgage Company without further Court Order, if upon notice to the Debtor and the Debtor's attorney the complained of default is not fully cured and proof of cure received by Fifth Third Mortgage Company's attorney, Pierce & Associates, P.C., One North Dearborn Street, Suite 1300, Chicago, Illinois 60602, within 14 days from the date notice is sent.
5. In the event the Stay is Modified to Fifth Third Mortgage Company, or its successors and assigns, as outlined in this Order, counsel for the mortgage company shall give notice to the Debtor, the Debtor's attorney and the Trustee and file said notice with the Court.
6. In the event that Pierce & Associates, P.C. should have to send out any Notices of Default under this Order, the Debtor shall pay an extra \$150.00 per Notice in certified funds to Pierce & Associates, P.C. in addition to whatever funds are needed to cure the default cited in the Notice. These \$150.00 payments constitute attorney's fees and must be paid within the same 14 day cure period listed in paragraph 4 of this Order or Stay shall Modify.

Dated: JAN 27 2010

Enter :
Bankruptcy Judge Jack B. Schmetterer

PIERCE & ASSOCIATES, P.C.
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Chicago, Illinois 60602
(312)346-9088
PA No. 09-7993